FILE COPY

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1941

No.____, Original

STATE OF LOUISIANA,

Plaintiff,

vs.

CLAUDE CUMMINS, ET AL.,

Defendant.

MOTION TO STRIKE NAMED PARTY DEFENDANT AND PETITION FOR REHEARING.

JAMES J. MORRISON,
Special Assistant Attorney General,
State of Louisiana, and Executive Counsel,
Louisiana Crime Commission.

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MOTION TO STRIKE NAMED PARTY DEFENDANT

Now into Court comes the State of Louisiana, and moves this Honorable Court for leave to dismiss, and does hereby dismiss, from the complaint proposed to be filed herein, one of the defendants named in said proposed complaint, to wit, Abraham L. Shushan, the citizen of the State of Louisiana.

JAMES J. MORRISON,
Special Assistant Attorney General,
State of Louisiana, and Executive Counsel,
Louisiana Crime Commission.

STATE OF LOUISIANA,

Plaintiff,

vs.

CLAUDE CUMMINS, ET AL.,

Defendant.

PETITION FOR REHEARING.

The State of Louisiana now moves, that, considering the foregoing motion to strike the named defendant, Abraham L. Shushan, the citizen of the State of Louisiana from the proposed complaint, that the Court grant a rehearing herein, on the ground that the jurisdictional defect pointed out by the Court in the Per Curiam Opinion announced in this case has been cured by dismissing the defendant citizen of Louisiana, A. L. Shushan, from the proceedings, and that the Court, now having jurisdiction, should grant the original motion of the State of Louisiana for leave to file the proposed complaint, as now amended.

Wherefore, the State of Louisiana now prays that this Honorable Court grant a rehearing herein, and further grant the original motion of the State of Louisiana for leave to file the proposed complaint, as amended, in the above numbered and entitled cause, and the other relief prayed for in such original motion.

JAMES J. MORRISON,
Special Assistant Attorney General,
State of Louisiana, and Executive Counsel,
Louisiana Crime Commission.